

REMARKS

Claims 17, 19-21, 24, and 25 are pending. Claim 17 is currently amended. Reconsideration of the application is requested.

§ 103 Rejections

Claims 17, 19, 20, 21, 24, and 25 stand rejected under 35 USC § 103(a) as purportedly unpatentable over the combined teachings of Leys et al. (US Publication No. 2002/0036017), and McPeak et al. (U.S. Patent No. 6,880,808).

In the Final Office Action, the Patent Office asserted that Applicants arguments were not persuasive because they centered on limitations that were not found in the claimed invention. In brief, Applicants submitted that McPeak does not support the obviousness of substituting PEEK for the PAEK as claimed because McPeak does not teach, suggest or describe using PAEK for molding “a valve stem that has enough mechanical and/or thermal stress resistance to withstand use as a metering valve...[s]uch stresses may be imparted by the repeated lateral movement of these elements together as a single unit...and in order to provide adequate chemical and/or mechanical bonding between the elongate stem element and the sealing element.”

Applicants have amended claim 17 to provide “A method of manufacturing a valve stem for a pressurized metered dose inhaler comprising an elongate stem element and a sealing element.”

Applicants respectfully submit that the characteristics described in the reply submitted on May 7, 2010 support the utility of any valve stem used “for a pressurized metered dose inhaler” as claimed. Thus, these characteristics are inherent in the claim as amended. Accordingly, Applicants submit that, with the present amendment, the failure of McPeak identified in the May 7, 2010 filing is brought into stark relief with the claimed invention. Accordingly, Applicants request that the rejection of claim 17 be withdrawn.

Claims 19–21 and 24–25 each add additional features to claim 17. Claim 17 is patentable for the reasons given above. Thus, claims 19–21 and 24–25 are likewise patentable.

In summary, the rejection of claims 17, 19–21 and 24–25 under 35 USC § 103(a) has been overcome and should be withdrawn.

In view of the above, it is submitted that the application is in condition for allowance.
Examination and reconsideration of the application as amended is requested.

Respectfully submitted,

November 5, 2010

Date

By: /Christopher M. Geise/

C. Michael Geise, Reg. No.: 58,560

Telephone No.: 651-736-3363

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833